

AMENDED IN SENATE JUNE 30, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1781**

**Introduced by Committee on Governmental Organization (Jerome Horton (Chair), Strickland (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Cohn, Corbett, Frommer, Levine, Liu, Negrete McLeod, Nunez, Oropeza, Reyes, and Wiggins)**

March 26, 2003

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~~An act to add Section 23021.5 to the Business and Professions Code, relating to alcoholic beverages. An act to amend Section 21626 of the Business and Professions Code, relating to secondhand goods.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1781, as amended, Jerome Horton. ~~Alcoholic beverages: supplier~~ *Secondhand dealers.*

*Existing law relating to secondhand goods defines the term “secondhand dealer” for the purposes of those provisions.*

*This bill would provide that the term “secondhand dealer” does not include a business that has obtained a sellers permit and that accepts secondhand tangible personal property in exchange for credit that may be used to purchase other tangible personal property from the business.*

~~The Alcoholic Beverage Control Act defines various terms relating to the implementation of that act.~~

~~This bill would define “supplier” for this purpose.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. Section 23021.5 is added to the Business and~~  
2 ~~Professions Code, to read:~~

3 ~~23021.5. “Supplier” means any person who is authorized to~~  
4 ~~manufacture or wholesale alcoholic beverages within this state.~~

5 *SECTION 1. Section 21626 of the Business and Professions*  
6 *Code is amended to read:*

7 21626. (a) A “secondhand dealer,” as used in this article,  
8 means and includes any person, copartnership, firm, or  
9 corporation whose business includes buying, selling, trading,  
10 taking in pawn, accepting for sale on consignment, accepting for  
11 auctioning, or auctioning secondhand tangible personal property.  
12 A “secondhand dealer” does not include a ~~“coin dealer”~~ “coin  
13 dealer,” a business that has obtained a seller’s permit under  
14 Section 6066 of the Revenue and Taxation Code and that accepts  
15 secondhand tangible personal property in exchange for a credit  
16 that may be used to purchase other tangible personal property from  
17 the business, or participants at gun shows or events, as defined in  
18 Section 178.100 of Title 27 of the Code of Federal Regulations, or  
19 its successor, who are not required to be licensed pursuant to  
20 Section 12071 of the Penal Code, who are acting in compliance  
21 with the requirements of Section 12070 and subdivision (d) of  
22 Section 12072 of the Penal Code, and who are not a “Gun Show  
23 Trader,” as described in paragraph (5) of subdivision (b) of  
24 Section 12070 of the Penal Code.

25 (b) As used in this section, a “coin dealer” means any person,  
26 firm, partnership, or corporation whose principal business is the  
27 buying, selling, and trading of coins, monetized bullion, or  
28 commercial grade ingots of gold, or silver, or other precious  
29 metals.